



FACT SHEET

Standardized Permit Tier for Hazardous Waste Treatment/Storage Facilities

March 2000



The California Environmental Protection Agency (Cal/ EPA), Department of Toxic Substances Control (DTSC)

BACKGROUND:

The California Legislature enacted the Wright-Polanco-Lempert Hazardous Waste Treatment Permit Reform Act of 1992 (Assembly Bill 1772 of 1992) that made important changes to California's laws governing the treatment and storage of hazardous waste. The Act established a five-tiered program for authorizing treatment and/or storage at many businesses that require State authorization to treat or store hazardous waste. The five-tiered program also includes the "Full Permit" (or Federal-equivalent) tier.

This fact sheet describes one of the five tiers, the Standardized Permit tier (HSC 25201.6). It is designed to assist you in assessing the applicability of this statute to your current or proposed operation. It is also designed to assist you in understanding the various administrative and technical operational requirements you must meet in order to operate under a Standardized Permit.

If after reviewing this fact sheet, you still have questions regarding the applicability of the Standardized Permit tier to your operation, please call the Department of Toxic Substances Control (DTSC) Standardized Permits and Corrective Action Branch in Berkeley at (510) 540-3974.

DEFINITIONS:

"Application" means the portion of the Standardized Permit procedure that includes a detailed operation plan. It is similar to the federal "Part B" portion of the facility permit application.

"Notification" means the portion of the Standardized Permit procedure that provides the basic facility information (DTSC Form 1093 A). It is similar to the federal "Part A" portion of the facility permit application.

"Series A Standardized Permit facility" is a facility that treats more than 50,000 gallons or 100,000 pounds of waste in a month, or can store than 500,000 gallons or 500 tons of waste.

"Series B Standardized Permit facility" is a facility that treats more than 5,000 but less than 50,000 gallons, or more than 10,000 but less than 100,000 pounds of waste in a month; or can store more than 50,000 but less than 500,000 gallons, or more than 100,000 pounds but less than 500 tons of waste.

STANDARDIZED PERMIT:

This fact sheet describes the Standardized Permit tier and the requirements with which you must comply in order to obtain authorization to treat and/or store hazardous waste under this tier.

ELIGIBILITY:

Other than those specified below, treatment or storage facilities that do not require a federal Resource Conservation and Recovery Act (RCRA) Permit are eligible for a Standardized Permit. Transportable treatment units (TTUs) may also be eligible to operate under a Standardized Permit .

The following types of facilities are not eligible for this tier:

- used oil treatment or recycling facilities
- solvent recyclers except as specified in Health and Safety Code (HSC) section 25201.6(g)(2)
- incinerators and land disposal units except as specified in HSC section 25201.6(g)(3).

"Series C Standardized Permit facility" is a facility that treats less than 5,000 gallons or 10,000 pounds of waste in a month, or can store less than 50,000 gallons or 100,000 pounds of waste, that does not conduct thermal treatment except evaporation.

"Small-quantity Series C Standardized Permit facility" is a facility that treats less than 1,500 gallons or 3,000 pounds of waste in a month, or can store less than 15,000 gallons or 30,000 pounds of waste, that does not conduct thermal treatment except evaporation.

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- Definitions
- Operating Requirements
- Eligibility
- Notification/Application Requirements
- Fees
- Financial responsibility

OPERATING REQUIREMENTS

The following operating requirements apply to Standardized Permit facilities. All citations are to the California Code of Regulations, Title 22, unless otherwise noted.

Identification number - (Section 66264.11) The facility must obtain this number issued by DTSC. The number must begin with CAD or CAL.

Waste analysis - (Section 66264.13) The facility must maintain a waste analysis plan to ensure that wastes received from generators are within the scope of the facility's permit. Generators must supply the facility with an analysis of a representative sample of the waste being manifested to the facility. All facilities reserve the right to refuse waste that does not meet the criteria of the facility's permit.

Security - (Section 66264.14) The facility must maintain a security plan and system to ensure that entry to the active portion of the facility is controlled at all times.

Inspection - (Section 66264.15) The owner/operator must maintain a regular facility inspection schedule to ensure any malfunctions at the facility are identified and remedied.

Personnel training - (Section 66264.16) The owner/operator must develop a training plan for all facility personnel relevant to their positions to ensure that all personnel have adequate training to perform their duties safely. Facilities must maintain records of employee training.

Ignitable/reactive/incompatible waste - (Section 66264.17) Wastes of these types must be separated to prevent accidental ignition or reactions.

Location - (Section 66264.18) A facility located in a 100-year flood plain must demonstrate that the waste can be removed before a flood could reach the facility.

Required equipment - (Section 66264.32) Each facility must have an internal communication system, communication to outside emergency response personnel, fire suppression equipment, and an adequate water supply.

Arrangements with local authorities - (Section 66264.37) Prior arrangements shall be made with local emergency response authorities.

Contingency plan - (Chapter 14, Article 4) Each facility must develop and maintain a contingency plan that outlines the protocol to be followed in the event of an emergency at the facility. DTSC must be notified if the contingency plan is activated.

Manifesting - (Sections 66264.71, 66264.72, 66264.76) All waste transported to and from the facility must be manifested.

Operating records - (Section 66264.73) Each facility must maintain operating records that include waste received and treatment provided, location of waste within the facility, waste analysis results, contingency plan reports, inspection reports, closure cost estimates, treatment standard notifications, and a copy of the facility's authorization that is provided to generators.

Annual report - (Section 66264.75) The owner/operator must submit an annual report to DTSC and the appropriate Regional Water Quality Control Board by March 1 of each year that covers waste management activities at the facility during the previous calendar year.

Closure - (Chapter 14, Article 7) Each facility must prepare a closure plan that outlines the steps that will be taken to remove all hazardous waste from the facility at the end of the facility's operating life..

Management of containers - (Chapter 14, Article 9) Each facility that manages hazardous waste in containers must ensure that the containers are compatible with the waste, are closed except when adding or removing wastes and are not handled in a manner that could damage the containers.

Management of tanks - (Chapter 14, Article 10) Each facility that manages hazardous waste in tanks must ensure that the tank system is compatible with the waste, has sufficient strength to not collapse, rupture or fail. Any tank that does not have secondary containment must be certified as meeting these criteria by an independent, qualified professional engineer.

Secondary Containment - (Sections 66264.175 and 66264.193) Each tank and container storage area for liquids shall have impervious secondary containment that can contain the water from a 24-hour, 25-year storm (plus 10% of the volume of the containers, or plus 100% of the capacity of the largest tank). The required date for compliance with the requirement for secondary containment depends on the age of a tank.

Corrective action - (HSC Section 25201.6) Each facility must submit a Phase I Environmental Assessment with the application. This is an assessment of any past releases of hazardous waste at the facility, based on records, a visual survey, etc. Sampling and testing are not required for a Phase I Environmental Assessment.

LOCAL LAND USE/CALIFORNIA ENVIRONMENTAL QUALITY ACT/PUBLIC NOTICE:

All Standardized Permit facilities are subject to the environmental impact assessment requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq). Included in these requirements is a public comment and review period for all environmental documents (e.g., draft Negative Declaration, draft Environmental Impact Report, etc.). Cost reimbursement for environmental review will occur under a cost reimbursement agreement. Offsite Standardized Permit facilities are also subject to the Tanner public notification and siting requirements (HSC Chapter 6.5, Article 8.7).

Additionally, the draft Standardized Permit must be made available for a 45-day public comment and review period. It is DTSC's intent to run the public comment

periods for these requirements concurrently, when possible, to ensure a streamlined approach in processing permit applications.

FEES

The cost of processing a Standardized Permit may be paid for via an activity fee. The activity fee is determined by the size and Series designation of the facility. An activity fee is also assessed for a renewal application. The activity fees are as follows:

- Series A \$34,345
- Series B \$21,442
- Series C \$5,714
- Small-Quantity Series C \$5,714

Alternatively, a facility proponent has the option of signing a project-specific cost reimbursement agreement with DTSC (HSC section 25205.7(a)).

Additionally, each facility must pay an annual facility fee when billed by the Board of Equalization. The amount of the fee is determined by the size and Series designation of the facility. TTUs operating under a Standardized Permit will pay the same annual fee as those facilities operating pursuant to a Permit By Rule.

- Series A \$12,031
- Series B \$5,638
- Series C \$4,736
- Small-Quantity Series C \$2,367

FINANCIAL RESPONSIBILITY

Facilities treating or storing hazardous waste must provide both closure financial assurance and proof of environmental impairment liability coverage for third parties.

Closure assurance must demonstrate the owner or operator's ability to pay for the complete closure and cleanup of the facility at the point at which the facility would be the most expensive to close. The closure cost must be updated annually and adjusted for inflation. The mechanisms used to demonstrate closure assurance are listed and explained in 22 Cal. Code Regs., Section 66264.143.

The amount of liability coverage required is determined by the size and Series designation of the facility. The figures listed below are the coverage levels required per sudden accidental occurrence and as the annual aggregate (Section 67800.5).

- Series A \$1 million / \$2 million
- Series B \$500,000 / \$1 million
- Series C \$300,000 / \$600,000
- Small-Quantity Series C \$100,000 / \$200,000

The mechanisms used to demonstrate liability coverage are listed in Section 66264.147. Financial responsibility forms and assistance are available from the Financial Responsibility Analysts in DTSC's Field Offices.

NOTIFICATION

In order to apply for a Standardized Permit, you must submit a Standardized Permit application package to DTSC's Standardized Permits and Corrective Action Branch in Berkeley. It is highly recommended that a preapplication meeting be held prior to the submission of the permit application. To request a copy of the application, call the Standardized Permits and Corrective Action Branch in Berkeley at (510) 540-3974.

COMMUNITY PROFILE

A Community Profile will be required as part of the application package. This profile will help DTSC determine the potential community interest, and to predict any public notification needs that go beyond the required Public Notice.